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South Carolina House of Representatives

Legislative Update

David H. Wilkins, Speaker of the House

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WEEK IN REVIEW

HOUSE

Term limits and seatbelts claimed the lion's share of attention on the House floor. The House approved joint resolution H.3157 which proposes amending the South Carolina Constitution so as to impose a maximum limit of six consecutive terms of service for members of the House of Representatives, three consecutive terms for members of the Senate, and three consecutive terms for constitutional officers. For members of the General Assembly, limitations would begin with terms served after the 1996 general election; for constitutional officers limitations would begin with the 1998 election. The House debated H.3089 before imposing immediate cloture and adjourning for the week. H.3089 increases the maximum penalty for violating the mandatory seatbelt law from ten dollars to twenty-five dollars, and from twenty dollars to fifty dollars for any one incident involving one or more violations. The bill also removes the restriction which prevents an officer from stopping a vehicle solely for failure to use seatbelts. An amendment offered by the Judiciary Committee provides that failure to wear a seatbelt is not admissible as evidence in a civil action.

The Senate concurring in House amendments, H.3002, the reapportionment plan affecting twenty-two House and seven Senate districts, was ratified.

The House gave third reading to two bills ratifying amendments to the South Carolina Constitution which were approved by voters in November's election. S.64 ratifies the amendment which provides that an individual convicted of a felony is ineligible to serve in a popularly elected office at the state or local level until fifteen years after his sentence is completely served. H.3064 ratifies the amendment authorizing investment of state retirement funds.

The House gave third reading to several other measures. H.3086, as amended, provides that an individual or an individual's estate may not receive court awards for damages or injuries sustained while committing a felony or fleeing thereafter. H.3215, as amended, expands jurisdictions for local police forces when in pursuit of a fleeing offender, such that municipal officers may pursue anywhere in the surrounding county and county officers may pursue into adjoining counties. Officers' liability coverage is extended to cover these pursuit situations. H.3230 increases penalties for inappropriate solicitation on behalf of a charity and/or failure to comply with reporting requirements, such that a first violation incurs a fine of not less than one thousand dollars and/or a prison term of six months to one year. The maximum prison term which may be incurred by a subsequent conviction is raised from one year to three years. H.3184, as amended, increases maximum fines for offenses involving the desecration of human remains or graves and requires up to five hundred hours of community service where the offense is a misdemeanor. Concurrent resolution S.199 extends until May 1, 1997, the

reporting date for the study committee established to formulate recommendations concerning the duties, authority, and qualifications of the state's magistrates. H.3160 allows the Department of Natural Resources to release confiscated property to owners of the property who are innocent of the violations which prompted confiscation. H.3253 authorizes the Adjutant General to request a member of the National Guard to go on active duty for a state mission provided the member consents and funds are available without additional state appropriations. H.3119 ensures that all public officers and employees receive the same number of hours of paid leave for service in reserve military units, regardless of the length of their regularly scheduled work shift.

SENATE

S.254 (Senate Banking and Insurance Committee), a comprehensive automobile insurance bill which abolishes recoupment fees and South Carolina's Reinsurance Facility, was amended and passed on third reading in the Senate on Wednesday, February 12. A similar bill is currently pending in the House. Floor amendments to the bill included enlarging the scope of insurance disclosure statements; extending the time limit after which insurers can no longer cede drivers to the SC Reinsurance Facility; prohibiting discrimination based on risk; and requiring proof of insurance in vehicles at all times, with license suspension if proof is not shown within 30 days.

The Senate also gave third reading to S.236 (Sen. McConnell), which establishes statewide building codes. The bill creates an advisory committee which will work with the Department of Insurance and will study issues associated with the development of strategies for reducing loss of life and mitigating property losses due to hurricane, earthquake, and fire. The advisory committee will also consider the costs associated with these strategies to individual property owners. The bill has been referred to the House Labor, Commerce and Industry Committee.

S.88 (Sen. Holland), which expands the current definition of harassment as visual, physical, or verbal contact to include electronic contact, also received third reading in the Senate. This bill has been referred to the House Judiciary Committee.

COMMITTEE ACTION

EDUCATION AND PUBLIC WORKS

The full Education and Public Works Committee met on February 11 and received reports from the SC Department of Transportation (DOT) and from the SC Chamber of Commerce. The committee also considered four bills, and numerous regulations from the State Department of Education.

The DOT reported to the committee on distribution of \$410,057,000 revenue from the 16 cents motor fuel tax (diesel and gas) and on the SCDOT budget. The SC Chamber of Commerce briefed the committee on their "*Position Statement on Educational Accountability*," a report recently released by the Chamber's Business Center for Excellence in Education.

The Chamber's report recommends the development and implementation of a comprehensive accountability system to improve public elementary and secondary education in South Carolina. The report recommends establishing academic and program standards and a methodology for assessing progress. Annual progress reports, computed by a uniform methodology, are recommended for schools, school districts, and the State. The report maintains that effective performance must be recognized and rewarded, and changes must be undertaken when effectiveness is questionable. The report lists accomplishments which this accountability system will include, and lists distinguishing features of this approach to accountability.

The full committee also considered four bills: H.3044, H.3145, H.3161, and H.3226. The Committee adjourned debate on H.3044, which relates to the grace period for procuring a motor vehicle registration and license plate, and adjourned debate on H.3226, which relates to disturbances or criminal conduct on school property or at school-sanctioned or sponsored activities. The committee reported favorably with amendment on H.3145, which prohibits teaching of Ebonics in S.C.'s public elementary and secondary schools and in the state-supported institutions of higher learning. The proposed amendment deletes language in the bill which refers to Ebonics as "Black English." H.3161, which provides that a person must hold a beginner's permit for at least 90 days before being issued a driver's license or a restricted driver's license, also received a favorable report.

The Education Public Works and Transit Safety subcommittee gave a favorable report with proposed comprehensive amendments on H.3007 (Rep. Cooper) and H.3194 (Rep. Young-Brickell). Both of these bills raise the minimum age for obtaining a driver's license and for obtaining a restricted license; provide conditions and restrictions for anyone driving with a beginner's permit, including raising the minimum age for the required accompanying driver; and provide that the holder of a beginner's permit who has successfully completed a driver training course may drive without an adult present if a certificate of completion from the driver training

school is maintained in the driver's possession. The subcommittee's recommended amendments include allowing the Department of Public Safety to set fees for beginners' or renewal permits (currently the fee is set at \$2.50); requiring a person who has never been licensed to first receive a beginner's permit and hold the permit for 90 days before receiving full licensure; allowing (under certain conditions) a modification or waiving of certain restrictions which are in the bill if these restrictions interfere with employment or travel between home and employment and school, or travel between home or work and vocational training; a provision that if six or more points are assessed against the holder of a beginner's permit or a restricted license, then the license is suspended for six months; and a provision that a driver under age 21 is prohibited from operating a motor vehicle with any measurable level of alcohol in his system (measurable being defined as .02 level in the blood). Punishment for violation of this provision includes suspension of driving privileges for one year.

JUDICIARY

The Judiciary Committee gave a report of favorable with amendment to H.3240, the School Safety Act of 1997, which creates the misdemeanor "assault and battery on school personnel" to apply to any individual who commits an unaggravated assault or battery against school personnel while on school property or at a school-sponsored event. The offense is punishable with up to twelve months imprisonment and/or a fine of up to one thousand dollars. If a student is convicted or adjudicated delinquent of the offense, it must be noted in his permanent record, and his principal and teachers must be notified. The committee gave a report of favorable with amendment to H.3235 which requires any retired justice or judge appointed by the Chief Justice to serve in the state's courts to have been found qualified by the Judicial Merit Selection Commission within four, rather than two, years. The bill also reroutes the appointment process for masters-in-equity, and an amendment approved by the full committee removes the Governor from this process. Also receiving a report of favorable with amendment was H.3139 which revises disposition criteria for certain children in foster care and requires the Department of Social Services to expedite permanent placement of children where parental rights have been terminated. The bill requires adoption assessments and child-specific recruitment including the use of the media and photo listings to facilitate adoptions. The Committee reported out with a favorable report and amendment H.3101 which makes it unlawful to transport a child under the age of sixteen out of state in order to circumvent a custody proceeding. Violations are applied to children born out of wedlock, and harsher penalties are assigned to violations involving actual or threatened physical force. The committee sent to the house H.3282 which ratifies the voter-approved amendment to the state's constitution which provides that a voter who has moved his place of residence during the thirty days prior to an election may vote in his previous precinct of residence. The Committee reported out H.3281, ratifying another approved amendment, and the full House approved its companion bill S.64. The Committee reported out S.199 and H.3184, both of which passed the full House.

The Election Laws Subcommittee gave a favorable report to H.3070 which provides that an officer automatically vacates his seat when he has executed a candidacy pledge with a political party and then changes party affiliation during the term of office for which he was

elected. The subcommittee gave a favorable report to H.3017 with an amendment. As amended, the bill establishes a procedure for early voting in statewide general elections and their nominating primaries by allowing an elector to cast a vote, in person, at a county board of registration or extension office during the week preceding the election or primary.

The General Laws Subcommittee gave favorable reports to H.3146 and H.3317. H.3146 prohibits partial-birth abortions except where the procedure is the only means of saving the life of the mother. Violators are guilty of a felony and must be fined not less than five thousand dollars and imprisoned not more than five years. A civil cause of action is also established. H.3317 provides reimbursement to local governments for costs expended in providing law enforcement officers training required under state law. The subcommittee recommended that H.3027 and H.3166 be tabled. H.3027 prohibits local governments from imposing impact fees. H.3166 provides that a tenant who abandons a premise and causes damage in excess of his security deposit is guilty of a misdemeanor.

The Constitutional Laws Subcommittee gave a favorable report to joint resolution H.3138 with an amendment. As amended, H.3138 proposes amending the South Carolina Constitution so as to provide a means by which voters could recall from office a state or local office holder in the legislative or executive branches who is popularly elected. A petition signed by at least twenty-five percent of the qualified electors served by the officeholder prompts a recall election in which voters decide whether the officer must vacate his position. The Subcommittee gave an unfavorable report to joint resolution H.3189 which also provides for a mechanism for voter recall.

LABOR, COMMERCE AND INDUSTRY

The Labor, Commerce and Industry Committee gave a report of favorable with amendments to H.3239, the "South Carolina Mold Lien and Retention Act," which establishes a procedure which a manufacturer of molds may use to dispose of molds which remain in his possession for at least three years beyond their last use. The bill also establishes a procedure by which a mold manufacturer may place a lien on a mold when a customer has not paid for the mold or related work. The Committee tabled H.3040 which requires an individual seeking to be licensed as a contractor to submit an affidavit of his financial condition rather than a financial statement certified by a public accountant.

The Insurance Subcommittee reported favorably on H.3287 which exempts agents licensed to sell pre-paid legal insurance from pre-licensing and continuing education requirements. Pre-paid legal insurance allows purchasers to pay a premium to cover the cost of certain legal services provided at a future date. The subcommittee also reported favorably on H.3299 which revises the language "contractual obligation for legal services" to read "contractual obligation for reimbursement of legal services" in the statutory requirement that such insurance contracts allow the insured his choice of attorney. The subcommittee gave an unfavorable report to H.3267 which prohibits an insurance company from unilaterally canceling a homeowner's insurance policy for up to one year after a mortgage loan has been approved.

The Business and Commerce Subcommittee gave a report of favorable with amendment to H.3342 which authorizes a professional corporation to issue shares to employees of the corporation who are not licensed to practice the professional service described in the corporation's articles of incorporation. Such employees shall not own more than one-third of the total issued and outstanding shares of the professional corporation. An amendment clarifies that the bill does not apply to professional corporations composed of attorneys.

The Public Utility Subcommittee reported favorably on H.3404 which eliminates the requirement that the Public Service Commission adopt procedures that encourage electrical and public utilities providing gas services to invest in cost-effective energy conservation programs. Under the bill, electrical utilities, public utilities providing gas services, and the South Carolina Public Service Authority are no longer required to prepare integrated resource plans. The Subcommittee also began hearing testimony on H.3414 which requires the Public Service Commission to formulate and adopt a plan which will restructure the state's electric utility system so as to establish, by January 1, 1999, a largely deregulated, competitive marketplace in which all retail customers are able to choose their provider of electrical generation services.

The Real Estate Subcommittee gave a report of favorable with amendments to H.3175 which requires counties and municipalities to adopt the latest version of national, regional, or model building codes and establishes a procedure by which a political subdivision may apply for a temporary exemption. The bill creates functions, duties, and registration for building code enforcement officers and requires that the first two hundred fifty thousand dollars of the premium tax levied on fire insurers must be used for implementing training, certification, and continuing education for these officers. The bill also revises the composition of building codes councils, the manner in which counties and municipalities adopt and enforce codes, penalties for violations, and the responsibilities of fire marshals.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS COMMITTEE

The full committee gave a favorable recommendation to R.2101, promulgated by the Department of Social Services. The proposed regulations reflect a change in methodology for transmitting food stamp benefits to recipients through an on-line electronic benefits transfer (EBT) system. Food stamp recipients now are issued debit cards that are accepted by food vendors participating in the federal food stamp program. The equipment necessary to process the EBT cards is supplied at no cost to each vendor participating in the federal food stamp program. DSS estimates that the new EBT system will save the state and federal governments a total of \$2.2 million annually compared to the paper food stamp program.

WAYS AND MEANS

Ways and Means budget subcommittees all continued to meet in order to finalize recommendations for the full committee meeting on Monday, February 17.

The Legislative/Executive/Administrative/Local Government subcommittee recommended several significant provisos.

1996-97 *Proviso 17A.5* directs the SC Budget and Control Board to develop a plan by January 1997 to consolidate the data processing functions of state government. The subcommittee recommended amending *Proviso 17A.5* so as to authorize the Budget and Control Board to implement the recently-completed plan, and to require agencies to comply. The subcommittee also deleted exemptions which had been provided for the legislature, judiciary, higher education, and technical education institutions.

This subcommittee also recommended adding a new proviso to ensure the integrity of the state's data operations into the year 2000. The proviso directs the Budget and Control Board to coordinate assessment of the "Year 2000 Date Change" across state agencies and develop a plan of action, with an initial report due to Ways and Means and Senate Finance Committees by June 30, 1998. Other states which have determined the scope of this problem have estimated that correcting the problem will cost \$30-40 million.

This subcommittee also recommended a proviso increasing the maximum amount which an employee may be reimbursed for meals while traveling within the state from \$20 per day to \$25 per day. Estimated fiscal impact for this increase is approximately \$500,000-\$600,000. Another new proviso recommended by this subcommittee requires that 1996-97 agency accountability reports be available to the Ways and Means Committee by November 1, 1997, for the purpose of a base budget analysis.

The Ways and Means Criminal Justice subcommittee and Rep. Jim Hodges conducted an inspection of the Columbia Training Center after an escape by eight youths on Monday, February 10, from South Carolina's only privately run juvenile prison. During this visit, the subcommittee spoke with Department of Juvenile Justice staff, Corrections Corporation of America (CCA) staff, and some juveniles. The subcommittee discussed cancellation of the state's \$14 million-a-year contract with CCA due to this escape, the second one since the facility opened in July. However, they voted instead to recommend a proviso creating a 24 hour-a-day oversight panel from several government agencies to ensure that the facility is operating safely.

The Revenue Policy subcommittee voted to recommend a \$25,000 income tax deduction for South Carolinians over the age of 65. The current deduction allowed is \$10,000. Under the subcommittee's plan, the deduction would increase to \$11,500 this year, and would continue to be phased in with increases over a five year period. Once the plan is fully implemented, the total cost would be an estimated \$27.5 million per year.

BILLS INTRODUCED

AGRICULTURE, NATURAL RESOURCES & ENVIRONMENTAL AFFAIRS

H.3420 IMPORTATION OF SWINE Rep. Rhoad

This bill provides a method of reliance on the Pseudorabies Eradication Program Standards when importing swine.

H.3428 PERSONAL WATERCRAFT AND BOATING SAFETY Rep. Klauber

This bill states that it is unlawful to operate a personal watercraft or vessel upon the waters of this State in a manner that unreasonably or unnecessarily endangers life, limb, or property or when the personal watercraft is unreasonably close to a person or structure in the water. The bill also states that no person may operate a personal watercraft so unreasonably close to another vessel that he leaves the water completely while crossing the wake of the other vessel.

EDUCATION AND PUBLIC WORKS

H.3424 STUDENT PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES Rep. Breeland

This bill provides that students in grades nine through twelve must have an overall "C" average in the preceding semester and must have passed at least four academic courses, including each unit the student takes that is required for graduation, in order to participate in interscholastic activities. Current law provides that these students must have an overall passing average and must either pass at least four academic courses (including each unit the student takes that is required for graduation) or pass a total of five academic courses during a specified semester (depending on when the interscholastic activity occurs). The bill also adds a provision that each school district shall provide academic assistance for students who wish to participate in interscholastic activities, but who have not maintained a "C" average in the preceding semester.

H.3440 STUDENT PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES Rep. Hinson

This bill provides that a student in grades nine through twelve who has not passed at least four academic courses may participate in an interscholastic activity if the student needs fewer than four units to receive a high school diploma and the student has passed all of the academic courses which he has taken during the applicable semester.

H.3444 MARINE CORPS LEAGUE LICENSE PLATES Rep. Keegan

This bill provides for the issuance of special license plates for members of the Marine Corps League.

H.3445 SELLING/DISTRIBUTING OF INFORMATION BY STATE AGENCIES Rep. Stille

This bill prohibits a state agency, department, or commission from selling or distributing information containing a person's name and information about a motor vehicle he owns, unless the agency is a law enforcement agency or other state agency where the information is directly related to the statutory duties and responsibilities of the agency.

H.3448 "COOPERATIVE EDUCATIONAL SERVICE CENTERS ACT OF 1997" Rep. Limbaugh

This bill authorizes the creation of "cooperative educational service centers," which are defined as regional education service units designed to provide supporting, instructional, administrative, facility, community, or any other services contracted by participating member entities. The bill provides that two or more school districts or a school district and a post-secondary institution may enter into an agreement to form a cooperative educational service center. Financing of the services provided by the center is by contributions from any legally appropriate monies of the participating entities in a proportionally agreed upon manner. The bill specifies the powers of the center and provides for a cooperative board.

H.3453 ALTERNATIVE SCHOOLS Rep. McMahan

This bill provides that school districts must develop alternative schools and at any time a student is expelled from school for more than one week, the student must be placed in a private or alternative school.

JUDICIARY

H.3421 FALSE REPORTS OF CHILD ABUSE/NEGLECT Rep. Davenport

This bill provides that it is a misdemeanor to knowingly make a false report of child abuse or neglect, punishable with a five thousand dollar fine, imprisonment for up to ninety days, or both. Immunity from civil and criminal liability is withheld from those who make malicious reports.

H.3429 JURISDICTION OF STATE GRAND JURY Rep. Fleming

This bill widens the jurisdiction of the state grand jury system so as to include insurance fraud and violations of environmental and state income tax laws. In these matters and in the case of public corruption or violation of election laws, the state grand jury is authorized to conduct investigations regardless of whether the crimes have multi-county significance.

H.3430 ALIMONY Rep. Mason

This bill provides that alimony payments are terminated upon the continued cohabitation of the supported spouse.

H.3438 WIRE TAPPING Rep. Fleming

This bill establishes procedures by which law enforcement entities may conduct wire and electronic communications interception and the interception of oral communications. The bill defines and establishes penalties for unauthorized interceptions.

H.3446 NONPARTISAN ELECTIONS OF COUNTY OFFICERS Rep. Stille

This bill establishes a procedure by which a county may opt to elect the members of its governing body and certain other officers in a nonpartisan fashion.

H.3447 POLICE ESCORTS FOR FUNERAL PROCESSIONS Rep. McMahan

This bill provides protection from liability for county sheriffs departments and municipal law enforcement departments when escorting funeral processions.

H.3449 EAVESDROPPING AND PEEPING Rep. Haskins

This bill applies the misdemeanors of peeping and eavesdropping to actions committed on public premises.

H.3451 APPOINTMENT OF SPECIAL MAGISTRATES Rep. Cromer

This bill authorizes the Chief Justice of the state Supreme Court to appoint a magistrate retired from service in a county to serve as a special magistrate, upon recommendation of the administrative judge of the judicial circuit.

H.3452 POSTPONEMENT OF JURY SERVICE Rep. Miller

This bill provides that if a school employee is selected for jury service during the school term, his service must be postponed to a date which does not conflict with the term. To qualify for postponement, an employee must render services in a school system offering grades K-12.

S.60 REINSTATEMENT OF DRIVER'S LICENSES REVOKED FOR D.U.I. Sen. Holland

This bill establishes a procedure by which a driver's license may be reinstated for an individual whose license has been revoked for five offenses involving driving under the influence, other than a felony offense. A circuit court may reinstate an individual's license if that individual: (1) has not been convicted of an alcohol or drug violation during the previous seven years, (2) has completed successfully an alcohol or drug treatment program, (3) evinces an overall driving record, character, and habits which indicates he will operate a vehicle safely.

S.64 RATIFICATION OF CONSTITUTIONAL AMENDMENT: FELONS PROHIBITED FROM HOLDING ELECTED OFFICE Sen. Holland

This bill ratifies the amendment to the South Carolina Constitution approved by voters in November's general election which provides that an individual convicted of a felony is ineligible to serve in a popularly elected office at the state or local level until fifteen years after his sentence is completely served.

S.77 TRANSFER OF CLAIMS FROM MAGISTRATES' COURT Sen. Holland

This bill provides that when a counterclaim is filed with an initial claim in magistrates' court which would, if successful, exceed the magistrates' civil jurisdictional amounts, both the initial and counter claims must be transferred to the court of common pleas.

S.87 DRIVING WHILE LICENSE IS SUSPENDED/CANCELED/REVOKED Sen. Holland

This bill provides ninety days to six months house arrest as a possible sentence for a third or subsequent offense of driving while one's license is suspended, canceled, or revoked.

S.88 HARASSMENT THROUGH ELECTRONIC CONTACT Sen. Holland

This bill expands the definition of harassment so as to include unwanted electronic contact.

LABOR, COMMERCE AND INDUSTRY

H.3439 SALE OF REGROOVED AND REGROOVABLE TIRES Rep. Mason

This bill regulates the sale of regrooved and regroovable tires, establishing minimum standards and specifications which products offered for sale must meet.

S.236 STATEWIDE BUILDING CODES AND ENFORCEMENT OFFICERS Sen. McConnell

This bill requires counties and municipalities to adopt the latest version of national, regional, or model building codes and establishes a procedure by which a political subdivision may apply for a temporary exemption. The bill creates functions, duties, and registration for building code enforcement officers and requires that the first two hundred fifty thousand dollars of the premium tax levied on fire insurers must be used for implementing training, certification, and continuing education for these officers. The bill also revises the composition of building codes councils, the manner in which counties and municipalities adopt and enforce codes, penalties for violations, and the responsibilities of fire marshals.

WAYS AND MEANS

H.3419 SC STATE UNIVERSITY BONDS Rep. Cobb-Hunter

This bill defines "net athletic revenues" as "the entire revenues derived by the athletic department of the University for any fiscal year after payment of the operating and maintenance expenses of the department but before provision is made for depreciation, amortization, nonmandatory transfers, and interest expenses of the department for the fiscal year." The bill removes the current \$3 million cap on bonds issued by trustees of the school and provides that the bonds issued may be used for acquiring, constructing, reconstructing, renovating, or equipping athletic facilities and for refunding certain previous bonds. The bill also provides that these bonds are payable from the admission fee, the special student fee, and net athletic revenues, and the bill deletes provisions concerning advertising of issuance of bonds. This bill is similar to H.3176 (currently in Senate Finance Committee), which concerns University of South Carolina athletics facilities revenue bonds.

H.3422 FULL FUNDING OF EDUCATION FINANCE ACT (EFA) Rep. Harrell

This joint resolution appropriates \$6.7 million for fiscal year 1996-97 to the SC Department of Education from recurring excess 1996-97 general funds. The bill provides that the money be used to fund the base student cost figure in the EFA, adjusted to reflect the actual number of students reported in the 135 day weighted pupil count. The bill also authorizes the Comptroller General to increase the recurring appropriation for the EFA by \$6.7 million above the amount appropriated in the 1996-97 Appropriation Act.

H.3423 FULL FUNDING OF EDUCATION FINANCE ACT (EFA) Rep. J. Smith

This joint resolution, similar to H.3422 and S.338, also appropriates \$6.7 million to the SC Department of Education from recurring excess 1996-97 general fund revenues, and provides that the money be used to fund the adjusted base student cost figure in the EFA formula in order to provide 100% of full implementation of the Education Finance Act. The bill provides that if these funds are not needed to provide full implementation of the EFA, the funds shall be returned to the State general fund.

H.3443 SALES TAX ON BOATS AND MOTORS Rep. Askins

This bill provides that the method for calculating the sales tax due on the sale of boats and motors to a resident of another state for licensing in the other state, is the same method currently used to calculate sales tax due on the sale of a motor vehicle to a resident of another state for licensing in the other state.

H.3450 DISTRIBUTION OF "C" FUNDS Rep. Vaughn

This bill provides that all interest earnings on the County Transportation Fund must be credited to counties in the ratio that the county's annual distribution is of the total of such distributions statewide, and these distributions shall not include counties that administer their own "C" funds. Current law provides that these interest earnings are credited to the State Highway Fund.

S.338 FULL FUNDING OF EDUCATION FINANCE ACT (EFA) Sen. Setzler

This joint resolution, similar to H.3422 and H.3423, provides for the appropriation of \$6.7 million for fiscal year 1996-97 to the State Department of Education from 1996-97 surplus revenues in order to fund the base student cost figure in the EFA formula, adjusted to reflect the actual number of students. The addition of this amount will provide 100% of full implementation of the EFA. The bill also provides that if the funds are not needed to provide full implementation, the funds shall be returned to the General Fund.

FOOTNOTE

The Legislative Update is on the Worldwide Web. Visit the South Carolina General Assembly Home Page (WWW.LPITR.STATE.SC.US) and click on the "Quick Find Guide." On the next screen, click on "Legislative Update." This will list all of the Legislative Updates by date. Click on the date you need.